

IN THE DISTRICT COURT OF THE UNITED STATES
for the Western District of New York

**May 2018 Grand Jury
(Impaneled 5/4/2018)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

CARLOS BAYON

Violations:

Title 18, United States Code,
Sections 115(a)(1) and 875(c)
(4 Counts)

INTRODUCTION

The Grand Jury Charges That:

At all times relevant to this Indictment:

1. The defendant, CARLOS BAYON, resided in Grand Island, New York, within the Western District of New York.
2. Individual One, a person known to the Grand Jury, was a Member of the United States Congress from the State of Louisiana.
3. Individual Two, a person known to the Grand Jury, was a Member of the United States Congress from the State of Washington.
4. A Member of the United States Congress is a "United States official" as that term is defined in Title 18, United States Code, Section 115(c)(4).

COUNT 1
(Retaliating Against a Federal Official)

The Grand Jury Further Charges That:

1. The Introductory Allegations are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

2. On or about June 30, 2018, in the Western District of New York, and elsewhere, the defendant, CARLOS BAYON, did threaten to assault and murder a member of the immediate family of Individual One, a United States official, and Individual One, with intent to impede, intimidate, and interfere with Individual One while engaged in the performance of official duties and with intent to retaliate against Individual One on account of the performance of official duties.

All in violation of Title 18, United States Code, Section 115(a)(1).

COUNT 2
(Threat by Interstate Communication)

The Grand Jury Further Charges That:

1. The Introductory Allegations are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

2. On or about June 30, 2018, in the Western District of New York, and elsewhere, the defendant, CARLOS BAYON, did knowingly, willfully, and unlawfully transmit in interstate commerce, from the State of New York to the State of Louisiana, a communication, that is, a telephone call, which contained a threat to injure the person of

another, specifically, the family members of Individual One and Individual One, and the communication contained a true threat to injure the family members of Individual One and Individual One.

All in violation of Title 18, United States Code, Section 875(c).

COUNT 3
(Retaliating Against a Federal Official)

The Grand Jury Further Charges That:

1. The Introductory Allegations are repeated, realleged and incorporated by reference as if fully set forth herein.

2. On or about June 30, 2018, in the Western District of New York, and elsewhere, the defendant, CARLOS BAYON, did threaten to assault and murder a member of the immediate family of Individual Two, a United States official, and Individual Two, with intent to impede, intimidate, and interfere with Individual Two while engaged in the performance of official duties and with intent to retaliate against Individual Two on account of the performance of official duties.

All in violation of Title 18, United States Code, Section 115(a)(1).

COUNT 4
(Threat by Interstate Communication)

The Grand Jury Further Charges That:

1. The Introductory Allegations are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

2. On or about June 30, 2018, in the Western District of New York, and elsewhere, the defendant, CARLOS BAYON, did knowingly, willfully, and unlawfully transmit in interstate commerce, from the State of New York to the State of Washington, a communication, that is, a telephone call, which contained a threat to injure the person of another, specifically, the family members of Individual Two and Individual Two, and the communication contained a true threat to injure the family members of Individual Two and Individual Two.

All in violation of Title 18, United States Code, Section 875(c).

DATED: Buffalo, New York, August 9, 2018.

JAMES P. KENNEDY, JR.
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A TRUE BILL:

S/FOREPERSON